

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

HILL, et al.,)
)
Plaintiff,)
)
v.) Civil Action No: 3:14-cv---213-SA-RP
)
HILL BROTHERS CONSTRUCTION)
COMPANY, INC., et al.,)
)
Defendants.)

**PLAINTIFFS' UNOPPOSED MOTION FOR FINAL APPROVAL
OF A CLASS ACTION SETTLEMENT AND CERTIFICATION OF
THE SETTLEMENT CLASS**

COME NOW Plaintiffs Robert K. Hill, Donald Byther, Sandy Byther, Keith Clark, Samuel Copeland, B.T. Erve, Percy Evans, George Flakes, Scott Goolsby, Sheila Kelly, Paul Leonard, Fred Smith, Dewayne Toliver, Ulysses Wiley, and Warlfoid Winters (hereinafter “Class Representatives” or “Plaintiffs”) and Class Counsel, Matthew Y. Harris (hereinafter “Harris”), Diandra Debrosse Zimmermann (hereinafter “Debrosse”), Edgar C. Gentle, III (hereinafter “Gentle”), L.N. Chandler Rogers (hereinafter “Rogers”) and Sterling DeRamus (hereinafter “DeRamus”), (collectively referred to herein as “Class Counsel”), and hereby respectfully move this Court to enter an Order granting final approval of a Class Action Settlement and Certification of the Settlement Class:

1. The Plaintiffs and Class Counsel move this Honorable Court to enter an Order granting final approval of a Class Action Settlement and Certification of the Settlement Class;
2. As discussed more fully in a supporting memorandum brief, final approval of a Class Action Settlement and Certification of the Class is both unopposed by the Defendants and is warranted as the Class Settlement is fair, adequate and reasonable under the pertinent portions

of the *Federal Rules of Civil Procedure* and supporting case law. Moreover, the Class Settlement satisfies the requirements set forth in Fed. R. Civ. P. Rule 23(a) and Fed. R. Civ. P. Rule 23(b)(3).

3. In support of this *Unopposed Motion for Final Approval of Class Action Settlement and Certification of the Settlement Class*, Plaintiffs would rely on their Memorandum Brief, which is being filed contemporaneously, and the following Exhibits which are attached hereto and incorporated into said Motion by reference:

Exhibit 1: Memorandum of Settlement Agreement;

Exhibit 2: Class Action Settlement Agreement;

WHEREFORE, Plaintiffs and Class Counsel respectfully request that this Honorable Court enter an Order granting:

1. Final Approval of the proposed Settlement; and
2. Certifying the Settlement Class
3. All further relief which this Honorable Court deems proper.

RESPECTFULLY SUBMITTED, this the 7th day of August, 2017.

/s/ L.N. Chandler Rogers
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/s/ Matthew Y. Harris
MS STATE BAR NO. 99595

/s/ Diandra S. Debrosse Zimmermann
AL State Bar No. ASB-2956-N76D *Admitted Pro Hac Vice*

/s/Edgar C. Gentle, III
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CERITIFICATE OF SERVICE

I hereby certify that on August 7, 2017, the foregoing was filed with the Clerk of the Court using the CM/ECF system, which sent notifications of such filing to all counsel of record:

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SO CERTIFIED, this the 7th day of August, 2017.

/s/ L.N. Chandler Rogers